

20 May 1818.



(Ireland.)

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[AS AMENDED ON RE-COMMITMENT]

To provide for the more deliberate Investigation of Presentments to be made by Grand Juries for Roads and public Works in *Ireland*, and for accounting for Money raised by such Presentments.

Note.—The Figures in the Margin denote the number of the Folios in the written Copy.

N. B.—The Clauses marked (A. B. C.) were added by the Committee; and the Clause marked (D.) and the Schedules marked (B, C, D, E, F, G, and H.) were added on the Re-commitment.

1 **W**HEREAS an Act was passed in the last Session of Parliament, intituled, "An Act to provide for the more deliberate
 " Investigation of Presentments to be made by Grand Juries for Roads
 " and public Works in *Ireland*, and for accounting for Money raised
 " by such Presentments;" and by an Act made in the present Session of Parliament, the operation of the said recited Act of the last Session was suspended until the end of the present Session of Parliament; and it is expedient that the said recited Act of the last Session of Parliament should be repealed, and that more effectual Provisions should be made for the regular and deliberate investigation of the necessity and propriety of all Roads, Buildings and Works, which may be proposed to be executed under the Presentment of the several Grand Juries in *Ireland*, under and by virtue of sundry Acts of Parliament;

Preamble:
 57 G. 3. c. 107.
 suspended by
 58 G. 3. c. 13

BE it therefore Enacted by The KING's Most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT from and after the passing of this Act the said recited Act of the last Session of Parliament shall be and the same is hereby Repealed.

Repealed.

Magistrates of
certain Quo-
lifications to
meet in Cities
and Districts
of Counties :

And be it further Enacted, That it shall and may be lawful for every Magistrate of every County, County of a City, and County of a Town in *Ireland*, within their respective jurisdiction, who shall be seised and possessed of a Freehold Estate in fee simple or fee tail, or as Tenant for Life under Deed or Devise, in possession of the annual value of Three hundred Pounds at least, or of a Leasehold Estate in perpetuity, or for life or lives, or for any term of years not less than twenty-one years unexpired, of the annual value of Five hundred Pounds at the least, or who shall be Heir Apparent to any Person seised or possessed of Freehold or Leasehold Estates of such Amount, or who shall be entitled to act as a Magistrate for any County of a City or County of a Town, or for any City and Liberties, according to the Charter of Incorporation of such City or Town, although not possessed of a Freehold or Leasehold Estate to the several Amounts aforesaid, to assemble, and such Magistrates are hereby required to assemble in the Court Houses and other usual places of holding the Sessions in each and every County, County of a City or County of a Town, at the General Quarter Sessions of the Peace holden and to be holden in the month of January, and also at the Quarter Sessions holden and to be holden nearest to Easter in each and every year, immediately after all the usual Crown or Criminal Business at such Sessions shall have been completed; and such Magistrates, so assembled, shall, at every such Sessions and Adjournment thereof, upon the Bench in open Court, proceed to take into consideration all Applications or Proposals for the making or repairing of Roads, or for the executing of any public Works belonging to the County of a City, County of a Town, or District in which such Magistrates are so assembled, in manner hereinafter mentioned; and shall adjourn such Sessions, for the purposes of this Act, from place to place, within every County of *Ireland*, until such Sessions shall have been holden at all the several Court Houses and other places of holding such Sessions within each County, where such Sessions shall be then holden for the discharge of Crown or Criminal Business; and such Magistrates shall have power to adjourn from day to day only (except from Saturday to Monday) and from place to place, until such Sessions shall be completed in all such places as aforesaid; all such Applications or Proposals as shall relate to any Roads or public Works, for which it is intended to apply for Presentments at the Spring Assizes, shall be considered at some such Sessions or Adjournment thereof, to be holden in the month of January next preceding such Assizes, and all such Applications or Proposals as shall relate to any Roads or public Works, for which it is intended to apply for Presentments at the Summer Assizes, shall be considered at some such Sessions or Adjournment thereof to be holden nearest to Easter next preceding such Assizes.

All Applica-
tions for mak-
ing Roads or
executing
public Works
to be then
taken into
consideration.

Additional
Places may be
appointed by

And be it further Enacted, That it shall and may be lawful for the Lord Lieutenant, or other Chief Governor or Governors of *Ireland* for

for the time being, upon any representation to be to him made by the Grand Jury for that purpose, at any Assizes for any County, to nominate and appoint any one or more additional Town or Towns, Place or Places, within such County; at which Town or Towns, Place or Places, Special Sessions shall and may be holden at the said several periods, for the purpose of carrying this Act into execution, within and for such District or Districts, to be measured by and to consist of Baronies, Half Baronies, or Parishes, as shall, by order of such Lord Lieutenant or other Chief Governor or Governors, upon such representation as aforesaid, be annexed to such Town or Towns, Place or Places, for the purposes of this Act; and such Special Sessions, for the purposes of this Act, shall be holden at, and adjourned to, such Towns or Places, so mentioned and appointed, in like manner as is heretofore required, with respect to the holding and adjourning Sessions at or to the several places of holding Sessions for Crown or Criminal business, until such Sessions shall have been holden at all the said places respectively, within each County.

Lord Lieutenant, on Application of Grand Jury, for holding Special Sessions for executing this Act.

And be it further Enacted, That at the first Meeting of such Magistrates at such Sessions (not less than Three Magistrates being present) every Magistrate at such Meeting shall take and subscribe an oath, according to the form in Schedule (A) to this Act annexed, by and before any Two of the said Magistrates so being present (which oath any one of such Magistrates is hereby authorized to administer;) and every Magistrate, who shall attend at any such Meeting, or any Adjournment thereof, shall, before acting in execution of this Act, take and subscribe such oath in like manner; Provided always, that such Magistrate shall preside as Chairman at every such Meeting or Adjournment thereof, as shall be chosen by the majority of the Magistrates then present.

Magistrates shall be sworn to the execution of this Act.

And be it further Enacted, That the Chairman presiding at each and every such Meeting held under this Act, shall deliver to the Secretary of the Grand Jury of the County, County of a City or Town respectively, a correct List, signed by himself, of the Magistrates who shall have taken and subscribed the said oath, and who shall have been present at each such Meeting respectively; which List shall be laid before the Grand Jury by the said Secretary at the ensuing Assizes; and such Secretary is hereby required to attend each and every such Meeting, and act as Clerk to the Magistrates there assembled; and shall also from time to time transmit or deliver all the oaths of Qualification so made by such Magistrates, to the Clerk of the Peace of the County, to be by him preserved among the Records of the County.

Chairman shall send List of Magistrates qualifying, to the Secretary of the Grand Jury.

And be it further Enacted, That Notices in writing of all Applications Requests or Proposals for the laying out, forming, making, or repairing
330.

Notice of the Applications for Permits for Re-

pairs of Roads,
to be posted,
as herein.

of Roads, or for building or repairing of Court Houses, Sessions Houses, Bridges or Walls, or for executing any other public Works, intended to be submitted to the Magistrates at such Sessions, shall be posted, by or on behalf of the Persons making such Proposals, on the door of the Parish Church, where there is any such Church in repair, and where there is not any such Church in repair, then on the door of the next adjoining Parish Church which is in repair, and also on the door of any Roman Catholic Chapel which may be within the Parish to which such Proposal relates, upon the Sunday next but one previous to the first day of holding such General Quarter Sessions, in the forenoon, between the hours of nine and twelve o'clock. 6

Grounding
Affidavits
Repealed,

And be it further Enacted, That from and after the first day of November next ensuing the passing of this Act, all such parts of any Act or Acts in force in *Ireland*, as require any Affidavit or Affidavits to be made for the purpose of grounding any Presentment or Presentments for the making or repairing any Road, or executing any public Work, shall, as to such Roads and public Works, be and the same are hereby repealed; and that in lieu thereof, whenever it shall be intended that any Application Request or Proposal shall be made to the Magistrates at any Sessions to be holden pursuant to this Act, for the laying out, forming, making or repairing of Roads, or for building or repairing of Court Houses, Sessions Houses, Bridges or Walls, or for executing any other public Works, such Application shall be made in writing, as nearly as may be in some one of the forms marked (B, C, D, E, F, G and H) in the Schedule to this Act annexed, respectively set forth, signed by at least two Persons, fully describing the nature of the Road, Building or Work proposed or desired, accompanied with a detailed Estimate of the Expense thereof, a Specification of the quantity and nature of the materials to be used, and also with such Maps, Sections, Ground Plans, and Elevations, as shall be necessary for fully explaining and ascertaining the situation nature utility and probable expense of such Road Building or Work respectively; and every such Estimate, Specification, Map, Ground Plan, Section, and Elevation, shall be signed by some known Surveyor Engineer or Architect, or by some other competent Person; and the Expense attending the making of every such Estimate, Map, Section, Ground Plan, and Elevation, shall be defrayed and borne by the Persons making such application, or one of them. 7

In lieu thereof,
Application for Roads
and Works
shall be made
to Sessions by
written Application,
with Estimates
and Maps
annexed, and
signed by a
Surveyor.

CLAUSE (D)
Affidavit
required as to
New Road.

Provided always, and be it Enacted, That no Presentment shall be made, for laying out any such new Road, unless it shall appear to the Grand Jury, by the Affidavit of one credible Witness, sworn before a Justice of the Peace for such County, that a Map of such new Road has been deposited with the Treasurer of the County twenty-one days at least before the Commission day of the Assizes, and that a Notice setting forth that an application is intended to be made at the

next

next Assizes for a Presentment to lay out a new Road from
to

distinguishing the several Town Lands and Baronies or Half Baronies through which it is intended to be carried, with the number of perches it is to be made in length through each Townland, has been personally served upon or left at the house of each Occupier of the Land through which such new Road is intended to be made in such County, twenty-one days at least before the Commission day of the Assizes, and that a like Notice has been also posted upon the door of the County Court House twenty-one days at least before the Commission day of the Assizes; nor unless it shall also appear, by an Affidavit sworn in like manner, unless the same be from Post Town to Post Town, and presented under the regulations of an Act passed in *Ireland* in the thirty-second year of His present Majesty, intituled, "An Act for improving and keeping in repair the Post Roads of this Kingdom," that no part of such new Road is to be made through any Deer-Park or Field enclosed with a wall built of lime and stone or bricks five feet high or more, without the consent of the Owner thereof; and no part thereof is to be made through any House entirely built with lime and stone or bricks, or through any Office or Orchard belonging to any person inhabiting a house so built, without the consent of such person.

Affidavit to state that Road is not to be made through any Deer-park, &c. (unless presented under 32 G. 4.) without consent of owner, &c.

Provided also, and be it Enacted, That nothing in this Act contained shall repeal any part of any Act or Acts now in force in *Ireland*, requiring certain Affidavits to be taken by Supervisors and Deputy Supervisors, for grounding any Presentment or Presentments for money advanced by them.

CLAUSE (E)
Not to repeal former Acts relating to Supervisors.

And be it further Enacted, That every such Estimate shall be written upon a paper, stamped in the same manner and with the same amount of Stamp Duty as is or shall by law be payable for and in respect of the Affidavit necessary for grounding the Presentment so applied for.

CLAUSE (A.)
Applications must be written on Stamped Paper.

And be it further Enacted, That whenever any such Application shall be for the making any new Road or line of Road, whatever the proposed length of such Road shall be, or for the widening any old Road, or for the lowering any hill, or the filling up of any hollow in any line of Road, the Map or Plan accompanying the Estimate on such Application shall be drawn upon a scale, not less than that of twenty perches to an inch; and such Map or Plan shall correctly exhibit the ground plan of every such proposed Road, and also of every adjoining public Road or Highway with which it may be necessary or desirable to compare it, in order to determine on the expediency of complying with such Application; and such Map or Plan shall also be shaded in such manner as to represent and exhibit the situation of all hills occurring on the Line of any such proposed or existing Road, and also shall exhibit all streams of water which may run or flow across any such proposed or existing Road, and all Bogs or Marshes through which any such proposed or existing

How Maps of Roads shall be drawn to accompany Applications for them.

Road may pass, and the boundaries and denominations of all such Townlands as any such Road shall traverse, so far as they are respectively intersected by the said Road, and all Houses standing or being within ten perches of any such proposed or existing Road respectively, and the names of the occupying Tenants thereof respectively; and every such Map or Plan shall be accompanied by a perpendicular section of every such proposed and existing Road, and in the case of a new Road by a cross Section likewise of the same, showing the intended form of the said new Road, and the depth and position of the materials to be employed thereon; the scale of which Section or Sections shall be in such proportion to the ground plan of such proposed and existing Roads, as shall be convenient for the due comparison of such Sections and Ground Plans with each other, and every such Map and perpendicular section shall show, in every part of all such proposed or existing Roads, and of all such Hills and Hollows as shall be delineated in such Map, the degree of rise or fall and inclination or declination (expressed in feet and inches) of every part of the surface of such Roads Hills and Hollows respectively; and the height (expressed in feet and inches) of every part of such surface above the base line thereof.

9

Estimates, &c. to be lodged with Secretary of the Grand Jury, fifteen days before each Session, &c.

Such Secretary shall arrange and number Estimates, and make separate Schedules of the same.

And be it further Enacted, That every such Application, with the Estimates, Maps, Sections, Ground Plans and Elevations relating thereto, shall be lodged with the Secretary of the Grand Jury fifteen days at the least previous to the first day of the said January and Easter Quarter Sessions to be holden respectively in each and every year; and every such Secretary shall, immediately upon the receipt of such Applications, with the Estimates, Plans and other Matters relating thereto, arrange the same to the best of his skill and knowledge, according to the several Districts in which they shall be to be taken into consideration, and shall number and make Abstracts of the Contents of the same in separate Schedules, (that is to say, one Schedule for each District;) and every Abstract in every such Schedule shall be marked with a number corresponding with the numbers indorsed upon the several Applications, and in such manner as that all the proposed Repairs on any line of Road shall be placed in regular order one after the other.

Secretary of Grand Jury shall lay Proposals before Meeting of Magistrates.

And be it further Enacted, That the said Secretary of the Grand Jury shall lay before such Magistrates at every such Sessions respectively, and the several Adjournments thereof, all the Applications, with the Estimates, Maps, and other matters relating thereto respectively, which shall have been lodged with him as aforesaid, for executing public Works within the District or County of a City or County of a Town, in which such Magistrates shall be so assembled, together with the Schedule of the same so made by him as aforesaid; and the Surveyor or other person by whom any such Estimate shall be signed as required by this Act, shall attend at such Sessions, (at the expense of the Parties making such Application)

10

Application) and shall be there sworn before the said Magistrates, in open Court, upon the Bench, to the truth of such Estimate, and of all Maps, Plans and Papers, signed by such Surveyor, or other person; whereupon such Estimate shall be marked "Sworn," and signed by the presiding Magistrate; and such Surveyor or other person shall also be sworn in open Court to make true answer to all such questions as shall be then asked of him, respecting such proposed work; and it shall be lawful for any person desiring information respecting the Particulars of such proposed work, to examine such Surveyor or other person having so signed and sworn to the same; and such Magistrates so assembled, or such number as shall be present, being not less than three, shall proceed in open Court upon the Bench there, to take into consideration and dispose of all such Applications whereof Notice shall have been posted and given in manner required by this Act (such Notice to be proved on oath to the satisfaction of such Magistrates;) and the Estimate, Maps, Plans and Papers relating thereto shall be sworn at such Sessions in manner required by this Act; and none others; and such of the said Applications as shall be approved by the majority at such Sessions as aforesaid, shall be signed by the Chairman, with the word "Approved," prefixed; and all such Proposals as shall be disapproved by the majority at such Sessions shall be signed by the Chairman, with the word "Disapproved," prefixed; and such Chairman, in all cases when the numbers are equal, shall have a casting voice: Provided always, That all Estimates relating to such Applications shall be sworn before the Magistrates assembled as aforesaid within the District in which the Road or Work to which such Application shall relate is proposed to be executed; and that in all cases the Chairman of such Sessions, and some one other Magistrate present at such Session, shall both of them sign the Jurat of every such Affidavit; and so soon as the Magistrates assembled at such Sessions shall have examined and decided upon all such Applications, in such Districts as shall be laid before them at such Sessions, the Chairman of such Sessions shall deliver all such Applications, whether approved or disapproved, together with the Estimates, Maps, Plans, and all other matters relating to the same, to the said Secretary of the Grand Jury; and all such Applications, whether approved or disapproved, shall by the said Secretary of the Grand Jury, be laid before the Grand Jury at the next ensuing Assizes.

All Estimates shall be sworn before Meetings of Magistrates in the proper Districts.

Applications, Presentments, &c. to be delivered to the Secretary of the Grand Jury.

Provided always, That in all cases of Application for repairing Roads, wherein the total Sum applied for shall not exceed Twenty Pounds, it shall not be necessary to produce any Map or Section, or for any Surveyor to be examined relating to the said Application, but that in such cases the written Application shall be accompanied by an Estimate in the Form prescribed by Schedule (G.) subscribed by the Persons who shall have subscribed such Application; and that at least one of the said Persons shall

CLAUSE (B.) Where the Sum applied for does not exceed £.20, an Estimate only to be produced.

shall attend at such Quarter Sessions, and verify upon oath the fairness of such Estimate, and further answer upon oath all such questions relating to the same as shall be put to him by any Magistrate acting at such Quarter Sessions.

Treasurers,
Secretary, Col-
lector, &c. not
to be impan-
nelled on a
Jury.

And be it further Enacted, That it shall not be lawful for any Sheriff 13
of any County, County of a City or County of a Town, to return upon
any Pannel for any Grand Jury at any Assizes in such County, County
of a City or County of a Town, any Person who shall be either Treasurer
of the County, Secretary of the Grand Jury, Chief Constable or Collec-
tor of any Barony, or Clerk of the Crown or Clerk of the Peace.

Present oath
of Grand
Jurors declar-
ed not to
extend to
Presentments
for public
Works.

And be it further Enacted and Declared, That the oath taken by
Grand Jurors in *Ireland*, in such manner and form as hath heretofore
been practised according to Law at the several Assizes in *Ireland*, shall
not, at any time after the passing of this Act, extend or relate, or be con-
strued or taken to extend or relate to any of the duties of Grand Jurors
connected with Presentments for the execution of public Works.

Oath of Grand
Jury relating
to Present-
ments for
raising Money,
&c.

And be it further Enacted, That from and after the passing of this Act,
every Grand Juror, immediately after being sworn before the Judge of
Assize, in such manner and form as hath heretofore been practised
according to Law at the several Assizes in *Ireland*, shall, in open Court
at such Assizes, also take the Oath following; that is to say,

" YOU shall diligently inquire, on behalf of the County [or,
" County of the City, or County of the Town] of
" and true Presentment make, of all such Matters and Things 14
" as shall be lawfully given to you in charge, or as shall come
" before you in any wise, relating to the raising of any Money
" upon the said County [or, County of City, or County of
" Town] of
" or upon any Barony,
" Half Barony, District or Parish therein, or relating to the
" Expenditure of any such Money: You shall not present,
" nor allow nor disallow any matter or thing, through hatred
" malice or ill-will, nor through fear favour or affection.
" So help you GOD."

Grand Juror
may disclose
Evidence
given, &c. as
to such Pre-
sentments

And it shall and may be lawful for any Grand Juror to disclose any
Evidence or other matter or thing whatsoever, relative to the making or
refusing of any such Presentment, or relative to the Expenditure of any
Money raised by Presentment.

Secretary to
make Sched-
ules, entering
Abstracts of
all Applica-
tions.

And be it further Enacted, That the Secretary to the Grand Jury
shall forthwith after the Sessions of Magistrates shall have been held
in the several Districts at the time specified, arrange and number all such
Applications, Estimates, Presentments and other matters relating to such
Estimates

Estimates and Presentments, and shall cause Abstracts thereof to be made and inserted in Schedules, to be made (one for each Barony and Half Barony, and one for the County) with each Item separately numbered ;
 15 distinguishing by the words " Approved," or " Disapproved," the determination of the Magistrates on every such Application, at any Sessions holden under this Act ; and stating the sum of Money required for each Item, and casting up the amount of all such Sums at the foot of each page, and carrying forward the same, so as to show the total amount of the Sum which is proposed or required to be raised off the County at large, and the Sums proposed or required to be raised in each Barony and Half Barony, and specifying the amount of the Charge which such amount would, if presented, occasion on each Barony or Half Barony, particularizing and distinguishing the Charge proposed or required to be raised on every Barony or Half Barony for their respective use, and the proportion of the Sums so to be raised on the same Barony or Half Barony arising from the charge on the County at large ; and such Secretary shall cause a Copy of such Schedules to be inserted in the County and Barony Books, according as the Charge shall belong either to the County or Barony, always inserting in the County Book such as may be doubtful, as depending on the discretionary power vested in Grand Juries ; and such Secretary shall forthwith cause a number of Copies of such Schedules to be printed and distributed Ten days at least before the Commission-day of the ensuing Assizes, among the
 16 compose the Grand Panel of the County, County of a City or Town, to which such Secretary belongs, not exceeding Thirty Copies for each Barony and Half Barony ; and such Secretary shall likewise deliver a Copy of such printed Schedule to the Foreman of the Grand Jury, immediately after such Grand Jury shall have been sworn, and also a Copy to the Judge of Assize, immediately upon his opening the Commission, and shall keep a Copy in his Office for the inspection of all whom it may concern ; and the said Secretary shall have such Copy ready for inspection at his Office at all reasonable times, after such Schedule has been printed, previous to such Assizes.

Charge to be
 rilled on the
 County, and
 on each Bar-
 ony and Half
 Barony.

Schedules to
 be printed and
 distributed. :

Secretary to
 deliver a Copy
 of Schedules
 to the Fore-
 man of Grand
 Jury, and to
 the Judge of
 Assize, &c.

And be it further Enacted, That the Secretary to the Grand Jury at every Assizes (so soon as the Grand Jury shall be sworn at such Assizes) shall deliver all such Applications, the Estimates Maps Plans and Papers relating whereto shall have been sworn to at any Sessions of such Magistrates, together with the Forms of the Presentments thereon to the Foreman of such Grand Jury, and such Grand Jury shall proceed to take the same into consideration ; and such of the said Presentments as shall be disapproved of by such Grand Jury, shall and may be forthwith either altered or cancelled accordingly, and shall, by the Secretary, be erased from or altered in the County or Barony Books, and such of the said Presentments as shall be approved by the said Grand Jury, shall be sanctioned, conformably to such approval, by the signature of the

Affidavits and
 Presentments,
 delivered to
 the Secretary
 of the Grand
 Jury to be
 laid before the
 Assize.

Foreman of such Grand Jury; and it shall and may be lawful for any Grand Jury to make any Presentment in respect of any Road or public Work, the particulars of the Application relating to which shall be entered in such printed Schedules, although any such Application for such Road or public Work shall have been disapproved of by the Magistrates at any such Sessions; and also to present any smaller Sum to be expended, or any less number of perches of Road to be made widened or repaired, or any less number of perches of Fences to be made, or at a smaller rate by the perch, than may be required or set forth in any Estimate on which any Presentment shall be grounded, or to present a part only of any Sum required, according to the discretion of such Grand Jury. 17

No Presentment to be filed by Grand Jury or Court, if not entered in printed Schedule, except such as are required by Law, and the Amount whereof could not be previously ascertained.

And be it further Enacted, That no Presentment shall be taken into consideration by the Grand Jury, nor shall be filed by the Court, for any of the purposes aforesaid, unless the Particulars of such proposed Presentments shall be entered in such printed Schedules; such Presentments matters or things only excepted, as Grand Juries are or may be authorized by law to present, the Particulars of which and the amount whereof could not have been ascertained previous to the Quarter Sessions next preceding such Assizes, all which Presentments matters and things may be presented by such Grand Jury after being so impannelled, although the purpose thereof shall not be specified or referred to in any of such Schedules as aforesaid, and although no proceedings shall have been had relating thereto in manner required by this Act at the Quarter Sessions preceding such Assizes.

Presentments for Secretary of the Grand Jury.

And be it further Enacted, That it shall and may be lawful for any Grand Jury, at any Assizes, to present any Sum of Money not exceeding Five Pounds, to be raised off such County, as an allowance or remuneration to the Secretary of the Grand Jury for his attendance at each of the places wherein any Sessions or adjournment thereof shall have been holden, previous to such Assizes, for the purposes of this Act, and for the performing and executing the duties required by this Act to be performed by such Secretary of the Grand Jury. 18

No Money payable for any Person holding Office, unless he has made Affidavit as herein at each Assize.

And be it further Enacted, That it shall not be lawful for any Grand Jury, at any Assizes, to present any sum or sums of Money in the way of Salary, or any other allowance for the payment or remuneration of any person holding or executing, or having held or executed, any office for which any salary or allowance is claimed, unless there be an Affidavit of such person, prefixed to the form of the Presentment for the same when laid before such Grand Jury, sworn before a Justice of the Peace in presence of the Grand Jury, setting forth, that such Officer, for whom the Money is required to be presented, hath diligently and faithfully executed the duties of his office, as prescribed by law, since the preceding assizes; and that he

he has entered into all such Recognizances for the due and faithful execution of his office, which by any law he is required to do, to the best of his knowledge and belief, specifying the names of the respective Sureties; and no Application shall be made for any Presentment for any salary or remuneration to any person at any Assizes, which might have been applied and presented for at any previous Assizes, unless the person making such Application shall make an affidavit, stating some reasons, satisfactory to the Grand Jury, why such Application was not made at such previous Assizes; and if it shall happen that any Application for any salary or remuneration shall be rejected or refused by any Grand Jury at any Assizes, on account of any neglect or misconduct in office of the party making such Application, it shall not be lawful for any Grand Jury, at any subsequent assizes, to make any Presentment for any such salary or remuneration, in respect of any period previous to the assizes at which such Application was rejected or refused.

And be it further Enacted, That after the First day of November next ensuing after the passing of this Act, the Expenditure of every sum of Money presented by any Grand Jury for the making or repairing any Road or executing any public Work, within any Barony or Half Barony of any County, or within any County of a City or Town, shall be accounted for at any General Quarter Sessions of the Peace to be holden in such County, County of a City or Town, in which such Road or Work shall be situate, and not elsewhere, any Law, Statute, Usage, or Custom to the contrary notwithstanding; and that all persons intending to account for the Expenditure of any such sum of Money at any such Quarter Sessions, shall give Notice in writing to the Clerk of the Peace of their intention so to do, at least Fifteen days before the First day of such Sessions; and the said Clerk of the Peace shall, Ten days at least before the First day of such Quarter Sessions, affix on the door of the Sessions House or Court House of the Town or Place where such Sessions shall be holden, a List of the Names of all Persons who shall have given such Notice, and of the Roads or Works, for the Expenditure whereon each Person has so given Notice to account; and at every such Quarter Sessions all Accounts, of which such Notice shall have so been given by the Party accounting, and all

20 Vouchers relating thereto, shall be verified by the oath of the attending Overseer appointed by the Grand Jury, and shall be examined in open Court at such Sessions, and all such oaths shall be administered in open Court by the presiding Magistrate; and all other business before such Court shall in the mean time cease; and every such oath shall be subscribed by the Party making the same, and shall be attested by Two of the Justices of the Peace attending such Meeting, in the presence of each other, sitting on the Bench in open Court; and all such Accounts, and all Affidavits relating thereto, shall be forthwith transmitted or delivered to the Secretary of the Grand Jury by the Clerk of the Peace, to be proceeded upon by the Grand Jury at the next ensuing Assizes,

All Money shall be accounted for at Quarter Sessions, on Affidavit in open Court, &c. after the 1st day of November.

and transmitted to the Secretary of the Grand Jury.

and the Queries on the Presentments relating thereto shall be discharged by said Grand Jury in such manner in all respects as is now required by Law with respect to accounting Affidavits laid before Grand Juries at any Assizes; and from and after the First day of *July* which will be in the year of our Lord one thousand eight hundred and nineteen, it shall not be lawful for the Treasurer of any County, County of a City or Town, to pay any sum or sums of Money on account or in respect of any Presentment whatever, until the Queries thereon shall be discharged at such Assizes, after the Expenditure thereon shall have been accounted for in manner required by this Act, any Law, Statute, Custom or Usage to the contrary in anywise notwithstanding.

CLAUSE (C.)
Where Ex-
penditure
duly account-
ed for, at *Octo-
ber* Quarter
Sessions,
Treasurer to
issue Money.

Provided always, and be it Enacted, That where the Expenditure relating to any Presentment shall be duly accounted for at any Quarter Sessions that shall be held in the month of *October*, it shall and may be lawful for the County Treasurer to issue the Money presented for the said Work, or such portion thereof as shall be accounted for, to the Person entitled to receive the same, at the time and in the manner in which such Treasurer is now by Law authorized to pay the same.

Accounting
Affidavit may
be traversed,
provided No-
tice given to
the account-
ing Overseer.

And be it further Enacted, That it shall and may be lawful for any Person occupying or paying Cess for Ten acres of ground, to appear at any Assizes or General Quarter Sessions to be holden within each County in *Ireland* respectively, and to offer to controvert the truth of any accounting Affidavit there produced, on the ground of the insufficiency of the execution of the Work, or the undue or non-expenditure of the Money to which such Affidavit shall relate; provided that the Person 21 offering to controvert the truth of such Affidavit as aforesaid shall have given Notice in writing of his intention so to do, to the accounting Overseer, before the first day of such Sessions or Assizes, as the case may be; and whenever any such Person so having given Notice as aforesaid shall so appear and offer to controvert the truth of such Affidavit, it shall be lawful for the Court at such Assizes or Sessions, as the case may be, and they are hereby required, to try the truth of the fact or facts alleged in controversion of the truth of such Affidavit, by a Jury, in the same manner as any Traverse within the Jurisdiction of such Court ought to be tried; and in case the truth of such fact or facts shall be found, the accounting Affidavit shall be disallowed accordingly; and it shall not be lawful for the Clerk of the Crown, Clerk of the Peace or any other Persons, to take or receive upon such Traverse any Fee for or in respect of any such Traverse; and it shall be lawful for the Court before which such Trial shall be had, to give such Costs either to the Party controverting such Affidavit, in case such Affidavit shall be disallowed, (or to the accounting Overseer in case such Affidavit shall be allowed,) as such Court shall in either case think fit and reasonable, and the amount of such Costs shall be recoverable by Civil Bill within the proper Jurisdiction.

How Traverse
is to be tried.

Costs may be
given.

And

And be it further Enacted, That whenever and so often as it shall happen that any sum of Money heretofore presented, or hereafter to be presented, to be raised off any County, County of a City or County of a Town, or any Barony or Half Barony, shall not be expended agreeable to such Presentment, and accounted for within the space of Two Years next after such Presentment shall have been made, it shall and may be lawful for the Grand Jury of such County, County of a City, or County of a Town, and they are hereby required, again to present such sums of Money, to be applied to other purposes, and in like manner to present any Saving which may be made on any Presentment, to be expended upon some other Work within the Barony or Half Barony upon which the former sum or such Saving was presented to be raised, or within the County, if raised on the County at large: Provided always, that where Sums are presented to be raised by Instalments for executing any public Work, it shall not be imperative on the Grand Jury again to present such Sums for other purposes in manner aforesaid.

Sums not expended within Two Years to be presented again, &c

And be it further Enacted, That from and after the first day of November next ensuing the passing of this Act, in all cases where any Barony within any County shall consist of any two or more distinct and unconnected parts, and the Grand Jury shall be of opinion, that it would be convenient and expedient to consider such unconnected Parts as separate Baronies or Half Baronies, it shall and may be lawful for such Grand Jury to present any Sums to be raised upon such Barony, in such manner that a proportion of such Sum may be raised on each of such unconnected Parts of such Barony, in like manner as if such parts were separate and distinct Baronies or Half Baronies; and the same shall be raised and levied accordingly, any former Law, Usage or Custom to the contrary in anywise notwithstanding.

Where Baronies consist of distinct and unconnected Parts, the Sums to be raised on them may be apportioned to such Parts after the 1st day of November.

And be it further Enacted, That any Person who in any Affidavit, or in any Examination on oath required to be made or had under this Act, shall swear falsely, shall be subject and liable to all such pains, penalties and forfeitures as may be inflicted on wilful and corrupt Perjury, by the Laws in force in *Ireland*.

False swearing to be deemed Perjury.

And be it further Enacted, That in all cases where, upon any Affidavit for supporting any Application for any Presentment, or for authenticating any Estimate, or other matter or thing relating to such Application, according to the direction of this Act, or for accounting for public Money, it shall appear to the Grand Jury that the person, or persons making such Affidavits has or have been guilty of wilful and corrupt Perjury, it shall and may be lawful for the Grand Jury, to make such Presentment for defraying the prosecution of such delinquent as to them may seem fitting and expedient.

In case of Perjury, Grand Jury may order and prefer Expenditure of Prosecution.

This Act not to extend to County or County of City of Dublin, &c. nor to alter any local Act.

Provided always, and be it Enacted, That nothing in this Act contained shall extend, or be construed to extend, to the County of *Dublin*, or to the County of the City of *Dublin*, except only so far as is hereinafter expressly enacted and provided by this Act; and that nothing in this Act contained shall alter or repeal, or be construed to alter or repeal, any local Act relating to the manner of presenting or accounting in any other County, or County of a City, or County of a Town in *Ireland*.

25 G. 3. (1.) c. 14, requiring Affidavits for presenting Presentments, &c. to be lodged with Secretary of Grand Jury in the County of Dublin.

AND whereas by an Act passed in the Parliament of *Ireland*, in the Twenty-sixth year of the reign of His present Majesty, intituled, "An Act for making, widening, and repairing public Roads in the County of *Dublin*, and for repealing parts of several Acts formerly made for that purpose;" it is Enacted, "That every Affidavit to ground a Presentment, or to account for Work done, shall be lodged with the Secretary of the Grand Jury Four days at least before the first sitting day of each presenting Term;" and it would be of great benefit and advantage to the said County of *Dublin*, that the said Affidavits should be lodged with the acting Secretary of the Grand Jury of the said County so many days previous to the first sitting day of each presenting Term, that Schedules of such Affidavits might be prepared and printed for delivery to Magistrates and others previous to such Term: BE it therefore Enacted, That all Affidavits for Presentments for forming, levelling, fencing, draining, widening, making, repairing, or otherwise improving any Road in the County of *Dublin*, and for the building, repairing, or otherwise improving any Bridge, Session House, Gaol, or other Masonwork in the County, and also all accounting Affidavits of Overseers appointed from year to year to keep the Roads of the said County in repair and free from nuisances, shall be lodged thirty days at the least before the first sitting day of each presenting Term, with the acting Secretary of the Grand Jury of the said County; and such Secretary is hereby required to keep an office open for the purpose; and forthwith after the receipt of such Affidavits to cause Schedules of such Affidavits to be prepared and printed, and to be ready for delivery at his office twenty-one clear days before the first sitting day of each presenting Term, to such Magistrates and Landholders in the said County of *Dublin* as may apply for the same; provided that the number so to be printed shall not exceed Fifty for each Barony in the said County of *Dublin*, (the Baronies of *Saint Sepulchre's* and *Donore* excepted.)

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Certain Affidavits shall be lodged 30 days previous to presenting Term, and Schedules prepared and printed for delivery 21 days before the Term in the County of Dublin.

Grand Jurors may present for Expenses of preparing and printing such Schedules.

And be it further Enacted, That it shall and may be lawful for the Grand Jury of the said County of *Dublin*, and they are hereby authorized and required, at each presenting Term for the said County, to present such Sum or Sums as shall be necessary for defraying the expenses of preparing and printing the said Schedules; provided always, that an affidavit of the Printer, stating his charge to be usual and reasonable, be first laid before the said Grand Jury at such presenting Term; and

and that no such Presentment for the preparing such Schedules and printing of such Copies shall be made, unless such printed Copies were ready for delivery at the Office of the Secretary twenty-one clear days before the first sitting day of the Term at which such Presentment shall be applied for.

Provided always, and be it Enacted, That nothing in this Act contained shall be construed to limit the authority of Grand Juries in making any Presentment at any Assizes, for the Repayment of any Monies advanced by Order of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or for the raising of any Money for the support and maintenance of any Charitable Establishment, or for any purposes not specially provided for by this Act, for which such Grand Jury are or may be empowered to make any Presentment.

Act shall not prevent Presentments for Re-payment of Monies advanced by Order of Lord Lieutenant, &c.

Provided also, and be it further Enacted, That nothing in this Act contained shall extend or be construed to extend to affect or alter any Clauses, Powers or Provisions contained in any special Act or Acts of Parliament, relating particularly to the erection or maintenance of any Court House, Sessions House or County House, or to any Gaol or Prison in or for any County, or County of a City, or County of a Town, in *Ireland*.

Not to affect local Acts respecting Court Houses, &c.

And be it further Enacted, That this Act shall commence and take effect from the first day of *November* next, after the passing of this Act, and not sooner.

Commencement of Act.

Schedule (A.)

FORM OF OATH of Magistrates at Sessions, acting
in execution of this Act.

I *A. B. of C. D.* do swear, THAT I am seised and possessed of a Freehold Estate in Fee Simple, [*or, in Fee Tail, or, as Tenant for Life under Deed or Devise*] in possession, of the Annual Value of Three hundred Pounds [*or, of a Leasehold Estate in Perpetuity, or, for Life or Lives, or, for a Term of Years not less than Twenty-one Years unexpired, of the Annual Value of Five hundred Pounds; or, that I am an Heir Apparent of E. F. who is seised or possessed of a Freehold Estate of the Annual Value of Three hundred Pounds, or, of a Leasehold Estate for Life or Lives, or for a Term of Years not less than Twenty-one Years unexpired, of the Annual Value of Five hundred Pounds;*] and that such Estate is situate in the Parish of _____ and consists of [*here specify the name of the Townland or other description of the Property*]; and that the said Estate is *bona fide* the Property of the Person hereinbefore stated, and not holden in trust, nor conveyed to him for the purposes of this Act [*or, that I am entitled to act as a Magistrate for the County of the City of _____ or, for the County of the Town of _____ according to the Charter of Incorporation thereof* and that in the execution of an Act made in the Fifty-eighth year of the reign of King *George* the Third, intituled, [*here insert the Title of this Act*] I will truly, faithfully and impartially do and perform all such Matters and Things as I am authorized and required to do by the said Act, without favour, affection, hatred, malice or ill will, according to the best of my judgment, upon the Information to be laid before me.

So help me GOD.

Schedule (B.)

APPLICATION AND ESTIMATE FOR A BUILDING.

County of _____ } WE *A. B.* of _____ in the County
 } of _____ and *C. D.* of _____
 } in the County of _____

do certify, That in our opinion it is necessary to build a
or, repair a _____ [*as the case may be*] at
in the Barony of _____ in said County; and that We
have caused the annexed Plan, Elevation, Estimate and Specification, to
be made by *E. F.* a competent person skilled in such work; and that
the Estimate is in our opinion fair and reasonable.

If the Application be for repairing, } (Signed)
the words Plan, Section and Ele- }
vation, may be omitted. } *A. B.*

[Here annex the Estimate and Specification required by this Act.]